

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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In re application of:

Donald JAFFREY

Application No. 09/980,956

Filed: June 25, 2002

For: A FUEL CELL GAS SEPARATOR

Art Unit: 1746

Examiner: Jonathan Crepeau

Docket No.: A-71184/DJB/VEJ

Certificate of Transmission (37 C.F.R. § 1.8(a))
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Patricia A. Diehl
Patricia A. Diehl

REQUEST FOR REFUND

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Alexandria, VA 22313-1450

ATTENTION: Refund Section, Accounting Division, Office of Finance

Sir:

REFUND REQUEST (37 C.F.R. § 1.26)

Applicant filed a Supplemental Information Disclosure Statement on June 10, 2005 ("Supplemental IDS") disclosing references cited by the European Patent Office in a Communication Dated April 13, 2005. Because these references were cited within three months of when the Supplemental IDS was filed, no fee should have been due. In fact, the Supplemental IDS included the statement required by Rule 97(c)(1).

Accordingly, the amount of \$180 charged to Deposit Account No. 50-2319 (A-71184/DJB/VEJ) on June 20, 2005 in connection with the same was in error. It is respectfully requested that the fee of \$180 charged to the deposit account of the Applicant's attorney should be refunded to the same deposit account, namely Deposit Account No. 50-2319 (Matter No. 461124-20; Docket No. A-71184/DJB/VEJ).

This request for refund is made within two years of the date the fee was paid on June 20, 2005, in the amount of \$ 180.00.

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PATENT

Attorney Docket No. A-71184/DJB/VEJ
 Attorney Matter No. 461124-00020
 Application No. 09/980,956

Fee Paid For Which Refund Requested**AMOUNT OF REFUND
REQUESTED**

<input type="checkbox"/> Filing fee	\$
<input type="checkbox"/> additional claims fee	\$
<input type="checkbox"/> additional independent claims fee	\$
<input type="checkbox"/> multiple dependent claims fee	\$
<input type="checkbox"/> Surcharge for filing the basic filing fee on a date later than the filing date of the application (37 C.F.R. § 1.16(e) or 37 C.F.R. § 1.16(l)).	\$
or	
<input type="checkbox"/> Surcharge for filing the oath or declaration on a date later than the filing date of the application (37 C.F.R. § 1.16(e)).	\$
<input type="checkbox"/> Surcharge for filing the basic filing fee on a date later than the filing date of the provisional application (37 C.F.R. § 1.51(c)(1) and 37 C.F.R. § 1.16(l)).	\$
or	
<input type="checkbox"/> Surcharge for filing the cover sheet on a date later than the filing date of the provisional application (37 C.F.R. § 1.51(c)(1) and 37 C.F.R. § 1.16(l)).	\$
<input type="checkbox"/> Extension of term	\$
<input type="checkbox"/> Issue fee	\$
<input type="checkbox"/> Patent maintenance fee	
<input type="checkbox"/> first maintenance fee	\$
<input type="checkbox"/> second maintenance fee	\$
<input type="checkbox"/> third maintenance fee	\$
<input type="checkbox"/> Patent maintenance fee surcharge.	\$
<input checked="" type="checkbox"/> Other: Information Disclosure Statement (code 1806)	\$ 180.00
TOTAL REFUND REQUESTED	\$ 180.00

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ASSERTION OF SMALL ENTITY STATUS
 AND REQUEST FOR REFUND

- 2 -

4834-7117-79841

PATENT

Attorney Docket No. A-71184/DJB/VEJ
Attorney Matter No. 461124-00020
Application No. 09/980,956

Manner of Refund

Please make refund by:

- ☒ Crediting Deposit Account No. 50-2319 (Order No. 461124-00020;
Docket No. A-71184/DJB/VEJ).
- ☐ Crediting credit card as shown on the attached credit card information
authorization form PTO-2038.
- ☐ Refunding overpayment.

The Commissioner is hereby authorized to charge any underpayment of the following fees associated with this communication, including any necessary fees for extension of time and for the presentation of extra claims, or credit any overpayment to Deposit Account No. 50-2319 (Order No. 461124-00020; Docket No. A-71184/DJB/VEJ).

Respectfully submitted,

Date:

9/26/2005

By:



Victor E. Johnson, Reg. No. 41,546

DORSEY & WHITNEY LLP
555 California Street
Suite 1000
San Francisco, California 94104-1513
Telephone: (415) 781-1989 Facsimile: (415) 398-3249

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ASSERTION OF SMALL ENTITY STATUS
AND REQUEST FOR REFUND

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FAX COVER SHEET

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ATTN: Examiner: Jonathan Crepeau
Art Unit: 1746

PHONE #:

FROM: Victor E. Johnson

FAX #: (415) 398-3249

PHONE #: (415) 781-1989

EMAIL: johnson.victor@dorsey.com

RE:

U.S. Patent Application No. 09/980,956 for
A fuel cell gas separator
Filing Date: June 25, 2002
Our Docket No. A-71184/DJB/VEJ (Matter No. 461124-00020)

COMMENTS:

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- 1) TRANSMITTAL;
- 2) REQUEST FOR REFUND; and
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REFERENCE # 461124-00020

4649-3079-57761

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PATENT

 2005 SEP 01 11:27
 Attorney Docket No. A-71184/DJB/VEJ
 Application No. 09/980,956

 IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
 OFFICE

In re application of:

Donald JAFFREY

Application No. 09/980,956

Filed: June 25, 2002

For: A FUEL CELL GAS SEPARATOR

Art Unit: 1746

Examiner: Jonathan Crepeau

Docket No.: A-71184/DJB/VEJ

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Patricia A. Diehl
 Patricia A. Diehl

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 P.O. Box 1450
 Alexandria, VA 22313-1450

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Sir:

☒ Transmitted herewith is:

- 1) REQUEST FOR REFUND; and
- 2) One fax cover sheet.

☐ Applicant is a small entity. See 37 C.F.R. § 1.27(c).☐ The fees have been calculated as shown below:

	Claims Remaining After Amendment	Minus	Highest Previously Paid For	Percent Excess	Small Entity Rate Fee	OR	Other than a Small Entity Rate Fee
Total Claims		-	20	0	x 25 = \$		x 50 = \$
Ind. Claims		-	3	0	x 100 = \$		x 200 = \$
[] Multiple Dependent Claim Presented and Fee not Previously Paid					+180 = \$		+360 = \$
					TOTAL \$		TOTAL \$

Total Additional Claims Fee: \$ 0

Extension of Time Fee: \$ 0

TRANSMITTAL

- 1 -

4849-3079-5778v1

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PATENT

Attorney Docket No. A-71184/DJB/VEJ
Application No. 09/980,956

Other fees: \$ 0

TOTAL FEES: \$ 0

- ☒ No fee is required.
- ☐ A check including the amount of the above indicated TOTAL FEES for \$ _____ is attached.
- ☐ Please charge Deposit Account No. 50-2319 (Order No. 461124-00020; Docket No. A-71184/DJB/VEJ) in the amount of \$ _____.
- ☒ The Commissioner is hereby authorized to charge any underpayment of the following fees associated with this communication, including any necessary fees for extension of time and for the presentation of extra claims, or credit any overpayment to Deposit Account No. 50-2319 (Order No. 461124-00020; Docket No. A-71184/DJB/VEJ).

Respectfully submitted,

DORSEY & WHITNEY LLP

Date: 9/26/2005By: Victor E. Johnson, Reg. No. 41,546
/for/ David J. Brezner, Reg. No. 24,774
Filed under 37 C.F.R. § 1.34(a)DORSEY & WHITNEY LLP
Suite 1000
555 California Street
San Francisco, California 94104-1513
Telephone: (415) 781-1989 Facsimile: (415) 398-3249

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- 2 -

4849-3079-6776/1

PATENT



Attorney Docket No. A-71184/DJB/VEJ
Application No. 09/980,956

1 for 1746

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Donald JAFFREY

Application No. 09/980,956

Filed: June 25, 2002

For: A FUEL CELL GAS SEPARATOR

Art Unit: 1746

Examiner: Jonathan Crepeau

Docket No.: A-71184/DJB/VEJ

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Patricia A. Diehl
Patricia A. Diehl

Mail Stop AMENDMENT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Sir:

This Supplemental Information Disclosure Statement is hereby submitted in accordance with 37 CFR 1.98 and pursuant to Applicant's continuing duty under 37 CFR 1.56 to bring any information which may be material to patentability of this application to the Examiner's attention. The Examiner's attention is directed to the reference(s) cited on the accompanying substitute for form PTO-1449A/PTO. Except for U.S. Patents and U.S. Patent Application Publications, see 37 C.F.R. § 1.98(a)(2)(i), copies of the cited references are enclosed, unless otherwise noted below. It is further understood that the Examiner will also consider information that was cited or submitted to the U.S. Patent and Trademark Office in a prior application relied on under 35 U.S.C. § 120. M.P.E.P. § 609 (I)(A)(2).

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Applicant makes no representation that a search has been conducted by the Applicant, or that there is not possibly more relevant art. Applicant also makes no representation that the

SUPPLEMENTAL INFORMATION
DISCLOSURE STATEMENT

- 1 -

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Adjustment Date: 11/04/2005 SDIRETA1
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